

City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the Special Use Permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2016-0105

Approved by Planning and Zoning: February 2, 2017

Permission is hereby granted to: Maria del Pilar Soto Martinez

To use the premises located at: 118 North French Street

For the following purpose: see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

2/2/17

Date

Karl Moritz

Karl Moritz, Director
Department of Planning and Zoning

DATE: February 2, 2017
TO: Alex Dambach, Division Chief
Department of Planning and Zoning
FROM: Sara Brandt-Vorel, Urban Planner
Department of Planning and Zoning
SUBJECT: Special Use Permit #2016-0105
Administrative Review for a New Use
Site Use: Child Care Home
Applicant: Maria del Pilar Soto Martinez
Location: 118 North French Street
Zone: R-8/Single-Family Zone

Request

Special Use Permit #2016-00105 is a request to operate a child care home for six to nine children in an approximately 860 square foot basement of a single-family home located at 118 North French Street. The subject site is located in a residential neighborhood of similar single-family homes. The applicant proposes to care for up to nine children at a time, ranging from infants to 12 years old, and one resident child (age five) would be counted in the maximum of nine children proposed at the site. The hours of operation would be 6 a.m. – 12 a.m., midnight, Monday through Saturday. The applicant proposes primary drop-off and pick-up times of 6 a.m. – 7 a.m., 5 p.m. – 8:30 p.m., and 11 p.m. – 12 midnight. The applicant expects a majority of parents will drop off children between 6 a.m. - 7 a.m. and return to pick-up their children between 5 p.m. – 8:30 p.m. All pick-up and drop-off activities would occur in the applicant's driveway. A fenced-in backyard of approximately 5,200 square feet would be used for outdoor play space. One employee would assist the applicant with the child care operation.

Elements of the proposal include:

Proposed Hours of Operation: 6 a.m. – 12 a.m., midnight, Monday - Saturday

Number of Children: Up to 9, including one resident child.

Primary Drop-Off and Pick-Up Times: 6 a.m. – 7 a.m.
5 p.m. – 8:30 p.m.
11 p.m. – 12 a.m., midnight.

Pick-Up & Drop-Off Location: Applicant's driveway.

Staffing: Two employees.

Parking

The Zoning Ordinance does not require child care home operations to provide additional parking and as a single-family home the applicant's two off-street parking spaces in the driveway are adequate.

Zoning Designation

The subject site is zoned R-8/Single-Family Zone and section 3.302.1(B) permits a child care home with up to nine children with administrative special use permit approval. In addition, the administrative special use permit requirements for a child care home, section 11-513(R), requires all childcare providers provide 75 square feet of fenced outdoor play area for each child over the age of two.

Community Outreach

Public Notice was provided through eNews, via the City's website, and by posting a placard at the site. In addition, the Seminary Ridge Civic Association was notified of the Special Use Permit request. Staff did not receive any comments from residents during the noticing period.

Staff Action

Staff supports the applicant's request for a child care home with up to nine children. The expansion of an existing child care provider will increase the availability of child care within the City. In addition, the applicant's proposed hours of operation, while later than typical commercial child care providers, will provide a critical day care opportunity for residents who may work in the service industry or other industries with later working hours. The applicant has also indicated that a majority of the children will be at the site during traditional work hours and as such, staff does not expect noise or traffic impacts associated with the later pick-up option.

Furthermore, the applicant is a registered child care provider in the City for up to five children and staff finds the addition of four children would not create a negative impact on the surrounding community. The applicant is able to provide a large, fenced-in back yard for outdoor play space which is large enough that children playing will not create a noise disturbance for adjacent neighbors. The applicant's driveway provides adequate drop-off and pick-up space for parents so as not to impact the flow of traffic along French Street. As such, the use of 118 North French Street as a child care home for up to nine children will not negatively detract from the site's residential use, nor create undue impacts on the surrounding residential neighborhood.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: February 2, 2017
Action: Approved



Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2016-00105

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. No more than nine children, including resident children under age 12, shall be cared for on the premises at any one time. (P&Z)
3. The hours of operation for the business shall be limited to between 6 a.m. and 12 a.m., daily. (P&Z)
4. The applicant shall obtain all required state (Virginia Department of Social Services), federal and local licenses and certificates prior to operation. (P&Z)
5. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z)
6. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
7. The applicant shall restrict all parking for drop-off and pick-up to their driveway and the two on-street spaces directly adjacent to their property. (T&ES)
8. The applicant shall encourage its employees to use public transportation to travel to and from work. (T&ES)
9. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and/or electronic business promotional material for new patrons. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
10. The applicant shall require its employees who drive to work to use off-street parking. (T&ES)
11. The use must comply with the city's noise ordinance. No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line. (T&ES)

12. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 The applicant shall restrict all parking for drop-off and pick-up to their driveway and the two on-street spaces directly adjacent to their property. (T&ES)
- R-2 The applicant shall encourage its employees to use public transportation to travel to and from work. (T&ES)
- R-3 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and/or electronic business promotional material for new patrons. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
- R-4 The applicant shall require its employees who drive to work to use off-street parking. (T&ES)
- R-5 The use must comply with the city's noise ordinance. No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

Fire Department:

- F-1 Per City Fire Prevention Code, the Fire Marshal's office will perform a facility inspection if requested by Department of Human Services (\$35) or required for State Licensing (\$75). However, no permit will be issued by the Fire Marshal's office.

Early Childhood Division:

- F-1 A site visit was conducted on January 9, 2017. Ms. Soto is a registered family child care provider with the city and lives with her husband and her five year old daughter at 118 North French St., Alexandria, VA 22304. Ms. Soto resides in a single family home. The home consists of two levels. The home has two bedrooms and one bathroom on the main level. There is also a kitchen, dining room and a living room on the main level. There is a direct exit through the kitchen that leads directly to a nice enclosed patio on the back. Mr. Eric Suarez is trained and meets all qualifications to be his wife's assistant.

Ms. Soto is using the basement as her child care area, which has a door that exits to the backyard. The basement is very light and airy with child friendly themes on the walls, she has two cribs in the sleeping area. There is a small kitchenette where she has a small table with chairs for manipulative activities and eating area for the children. She has

plenty of educational toys, such blocks, puzzles and a reading area, with plenty of books. In the basement there is a full bathroom for the children to use. The child care area appears to be equipped for child care services. There is a safety gate in the basement that prevents children from accessing to upstairs level. Toxic materials are out of reach of children. Permit and certificates are posted on the wall.

All electric outlets were covered. The backyard is fenced, spacious and in good conditions. She has a playground in the backyard with a swing set. She has a small dog which was in a crate in the laundry room. The home appears to be safe for the children.

Parents will be using the main level door in the front of the home for dropping off and picking up the children. Parents can park on the street to unload and load the children. If necessary, there is a driveway that the parents can use as well.

Re: Recommend approval of special use permit to allow Ms. Maria Soto to care for up to eight (8) non-resident children. This is pending compliance with other departments' recommendation and subject to licensing and registration requirements and other limitations of local and state regulations.

Code Enforcement:

No comments received.

Health Department:

No comments received.

Recreation, Parks and Cultural Activities:

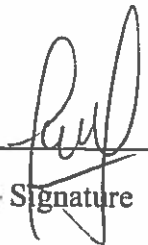
No comments received.

Police Department:

No comments received.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2016-00105. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the child care home at 118 North French Street.



Applicant – Signature

02/03/2017
Date

Maria del Pilar Soto Martinez
Applicant – Printed

02/03/2017
Date